

**SENATE JOURNAL
65TH LEGISLATURE
SIXTY-SIXTH LEGISLATIVE DAY**

Helena, Montana
March 30, 2017

Senate Chambers
State Capitol

Senate convened at 11:00 a.m. President Sales presiding. Invocation by Senator Lang. Pledge of Allegiance to the Flag.

Roll Call. Forty-eight members present. Senators Gauthier and F. Smith excused. Quorum present.

BILLS AND JOURNALS (Keenan, Chair): 3/30/2017

Correctly printed: **SB 313, SB 333, SB 335, SB 337, SB 338, SB 345, SB 346, SB 352, SB 353, SB 354, SB 359, SB 361, SB 362, SB 363, SB 366, SB 367, SB 370, SB 372, SB 376, SJ 20, SJ 22, SR 4, HB 37, HB 97, HB 217, HB 324, HB 427, HB 444, HB 445, HB 482, HB 537, HB 564.**

Correctly engrossed: **SB 368, SB 377, HB 185, HB 255, HB 283, HB 348, HB 383, HB 487.**

Correctly enrolled: **SB 135, SB 224, SB 231, SB 252, SB 275, SR 32, SR 33, SR 52, SR 53.**

Examined by the sponsor and found to be correct: **SB 135, SB 224, SB 231, SB 252, SB 275, SR 32, SR 33, SR 52, SR 53.**

Signed by the President at 4:10 p.m., March 29, 2017: **SB 40, SB 58, SB 65, SB 113, SB 127, SB 149, SB 152, SB 155, SB 157, SB 164, SB 169, SB 178, SB 219, SB 222, SR 35, SR 47, SR 49, SR 50, SJ 10.**

Signed by the Secretary of the Senate at 4:25 p.m., March 29, 2017: **SB 40, SB 58, SB 65, SB 113, SB 127, SB 149, SB 152, SB 155, SB 157, SB 164, SB 169, SB 178, SB 219, SB 222, SR 35, SR 47, SR 49, SR 50, SJ 10.**

Signed by the Speaker at 11:15 a.m., March 30, 2017: **SB 32.**

Signed by the Speaker at 11:50 a.m., March 30, 2017: **SB 40, SB 58, SB 65, SB 113, SB 127, SB 149, SB 152, SB 155, SB 157, SB 164, SB 169, SB 178, SB 219, SB 222, SJ 10.**

Delivered to the Governor at 3:24 p.m., March 30, 2017: **SB 32.**

Delivered to the Secretary of State at 8:40 a.m., March 30, 2017: **SR 35, SR 47, SR 49, SR 50.**

REPORTS OF STANDING COMMITTEES

BUSINESS, LABOR, AND ECONOMIC AFFAIRS (Buttrey, Chair): 3/28/2017

SB 377, introduced bill, be amended as follows:

1. Page 1, line 27.

Strike: "motor vehicle"

Insert: "driver's"

2. Page 1, line 28.

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Following: "5,"

Insert: "and identification cards under Title 61, chapter 12, part 5,"

And, as amended, do pass.

EDUCATION AND CULTURAL RESOURCES (Salomon, Chair):

3/29/2017

HB 185, be amended as follows:

1. Title, page 1, line 10.

Strike: "PROVIDING AN APPROPRIATION;"

2. Page 2, line 16.

Strike: "and"

Insert: "or"

3. Page 2, line 18.

Strike: "The"

Insert: "(a) Except as provided in subsection (5)(b), the"

4. Page 2, line 19.

Following: "legislature."

Insert: "(b) The board of regents may accept donations from private or out-of-state public sources for this program and shall distribute any funding received in accordance with [sections 1 through 3].
(6)"

5. Page 2, line 20.

Following: "ON"

Insert: "the following criteria in order"

6. Page 2.

Following: line 20

Insert: "(a) previous participation in the grant program with students who have previously received grants through the program receiving priority;"

Renumber: subsequent subsections

7. Page 2, line 21.

Strike: "AND"

8. Page 2.

Following: line 21

Insert: "(c) students in programs for professional credentialing in high-demand labor markets;
and"

Renumber: subsequent subsections

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9. Page 2, line 23.

Following: "CERTIFICATION"

Insert: ", with priority to more recent graduates and completers"

10. Page 2, line 25 through line 27.

Strike: section 4 in its entirety

Renumber: subsequent sections

And, as amended, be concurred in.

HB 487, be amended as follows:

1. Title, page 1, line 7 through line 8.

Strike: "PROVIDING" on line 7

Insert: "REVISING"

Strike: "CLARIFYING" on line 7 through "PROFESSIONALS;" on line 8

2. Title, page 1, line 8.

Strike: "AND"

3. Title, page 1, line 9.

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE"

4. Page 2, line 3 through line 4.

Strike: "unless" on line 3 through "omission" on line 4

Following: "._"

Insert: "This subsection (2)(b) does not apply to liability for willful or wanton misconduct."

5. Page 2, line 24 through line 26.

Strike: "and" on line 24 through "knowledge" on line 26

Insert: "includes the evaluation and management of concussions consistent with current medical knowledge"

6. Page 2, line 29.

Strike: "under 18 years of age"

7. Page 3, line 13 through line 14.

Strike: "and guidelines" on line 13 through "prevention," on line 14

8. Page 4.

Following: line 1

Insert: "NEW SECTION. Section 4. Effective date -- applicability. [This act] is effective October 1, 2017, and applies to occurrences on or after October 1, 2017."

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And, as amended, be concurred in.

FINANCE AND CLAIMS (Jones, Chair): 3/30/2017
HB 37, be concurred in.
HB 217, be concurred in.

LOCAL GOVERNMENT (Webb, Chair): 3/29/2017
SB 372, do pass.
HB 445, be concurred in.

STATE ADMINISTRATION (Brown, Chair): 3/29/2017
HB 255, be amended as follows:

1. Title, page 1, line 11.
Strike: "SECRETARY OF STATE"
Insert: "DEPARTMENT OF JUSTICE"

2. Page 1, line 29.
Strike: "secretary of state"
Insert: "department of justice"

3. Page 2, line 1.
Following: "SECTION"
Insert: ", the following definitions apply"

4. Page 2, line 5.
Following: "PARTY,"
Insert: "or"

5. Page 2, lines 5 though 6.
Strike: ", OR A BLOCK PARTY"

6. Page 2, line 11.
Following: "part of"
Strike: "Title 2, chapter 2, part 1,"
Insert: "Title 13, chapter 35, part 2,"
Following: "provisions of"
Strike: "Title 2, chapter 2, part 1,"
Insert: "Title 13, chapter 35, part 2,"

And, as amended, be concurred in.

HB 283, be amended as follows:

1. Page 1, line 11 through line 25.

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Strike: section 1 in its entirety
Renumber: subsequent sections

2. Page 1, line 29.
Strike: "January 31"
Insert: "October 1"

3. Page 1, line 30.
Strike: "microsoft excel"

4. Page 2, line 1.
Strike: "calendar"
Insert: "fiscal"

5. Page 2, line 12.
Following: "[Section"
Strike: "2"
Insert: "1"

6. Page 2, line 13.
Following: "[section"
Strike: "2"
Insert: "1"

And, as amended, be concurred in.

HB 383, be amended as follows:

1. Title, page 1, line 8 through line 9.
Strike: "INCREASING" on line 8 through "2017;"

2. Title, page 1, line 11.
Following: "AND"
Insert: "AND"

3. Title, page 1, line 11 through line 12.
Strike: "19-7-501," on line 11 through "19-7-901," on line 12

4. Page 4, line 4.
Strike: "10.245%"
Insert: "10.495%"

5. Page 5, line 27 through page 7, line 23.
Strike: section 4 through section 7 in their entirety
Renumber: subsequent sections

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And, as amended, be concurred in.

Without objection, committee reports were adopted.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Thomas moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Osmundson in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 170 - Senator Hinebauch moved **SB 170** do pass. Motion **failed** as follows:

Yeas: Ankney, Blasdel, Buttrey, Fielder, Hinebauch, Hinkle, Hoven, Howard, Jones, Keenan, Moore, Olszewski, Osmundson, Regier, Richmond, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Mr.President.

Total 22

Nays: Barrett, Boland, Brown, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gross, Kary, Lang, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Salomon, Sands, Sesso, Small, Vuckovich, Webb, Welborn, Whitford, Wolken.

Total 26

Absent or not voting: None.

Total 0

Excused: Gauthier, Smith F.

Total 2

Senator Gauthier present at this time.

SB 170 - Senator Thomas moved **SB 170** be **indefinitely postponed**. Motion carried as follows:

Yeas: Ankney, Barrett, Boland, Brown, Buttrey, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gross, Hoven, Jones, Kary, MacDonald, Malek, McClafferty, McNally, Moore, Osmundson, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Tempel, Vuckovich, Webb, Whitford, Wolken.

Total 32

Nays: Blasdel, Caferro, Gauthier, Hinebauch, Hinkle, Howard, Keenan, Lang, Olszewski,

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Regier, Smith C, Swandal, Thomas, Vance, Vincent, Welborn, Mr.President.
Total 17

Absent or not voting: None.
Total 0

Excused: Smith F.
Total 1

Senator F. Smith present at this time.

SB 338 - Senator Ankney moved **SB 338** do pass. Motion carried as follows:

Yeas: Ankney, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinkle, Hoven, Jones, Kary, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken.
Total 43

Nays: Barrett, Hinebauch, Howard, Keenan, Pomnichowski, Swandal, Mr.President.
Total 7

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 368 - Senator Richmond moved **SB 368** do pass.

SB 368 - Senator Sesso moved **SB 368**, second reading copy, be amended as follows:

1. Page 5, line 7.

Following: "campaign"

Insert: "if the materials are properly attributed as required in 13-35-225"

2. Page 9, line 14.

Following: "~~debts, fines,~~"

Insert: "debts, fines,"

Following: "forfeitures"

Insert: ", or forfeitures"

3. Page 13, line 10.

Following: "forfeitures"

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Insert: "fines, forfeitures, or"

4. Page 15, line 7.

Strike: "2002"

Insert: "2016"

5. Page 15, line 30.

Strike: "2002"

Insert: "2016"

6. Page 16, line 13.

Strike: "2003"

Insert: "2016"

Amendment adopted as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hoven, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.
Total 48

Nays: Hinkle, Howard.

Total 2

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 368 - Senator Sesso moved **SB 368**, second reading copy, be amended as follows:

1. Title, page 1, line 6.

Strike: line 6 in its entirety

2. Title, page 1, line 8 through line 10.

Strike: "CREATING" on line 8 through "PERIODS;" on line 10

3. Title, page 1, line 14.

Following: "13-10-202,"

Insert: "13-37-111,"

Following: "13-37-113,"

Strike: "13-37-115," through "13-37-124,"

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4. Page 8, following line 28.

Insert: "Section 3. Section 13-37-111, MCA, is amended to read:

"13-37-111. Investigative powers and duties -- recusal. (1) Except as provided in 13-35-240 and this section, the commissioner is responsible for investigating all of the alleged violations of the election laws contained in chapter 35 of this title or this chapter and in conjunction with the county attorneys is responsible for enforcing these election laws.

(2) The commissioner may:

(a) investigate all statements filed pursuant to the provisions of chapter 35 of this title or this chapter and shall investigate alleged failures to file any statement or the alleged falsification of any statement filed pursuant to the provisions of chapter 35 of this title or this chapter. Upon the submission of a written complaint by any individual, the commissioner shall investigate any other alleged violation of the provisions of chapter 35 of this title, this chapter, or any rule adopted pursuant to chapter 35 of this title or this chapter. As part of the investigation after the submission of a written complaint, the commissioner shall offer the subject of the complaint an opportunity to meet with the commissioner or with the commissioner and an attorney from the department of justice agency legal services bureau. The attorney from the agency legal services bureau may not otherwise be involved in the investigation or any resulting prosecution of the complaint. During the meeting, the subject of the complaint may raise concerns about and objections to the complaint.

(b) inspect any records, accounts, or books that must be kept pursuant to the provisions of chapter 35 of this title or this chapter that are held by any political committee or candidate, as long as the inspection is made during reasonable office hours; and

(c) administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, bank account statements of a political committee or candidate, or other records that are relevant or material for the purpose of conducting any investigation pursuant to the provisions of chapter 35 of this title or this chapter.

(3) If the commissioner determines that considering a matter would give rise to the appearance of impropriety or a conflict of interest, the commissioner is recused from participating in the matter.

(4) The commissioner is recused from participating in any decision in which the commissioner is accused of violating 13-37-108 or any other ethical standard.

(5) (a) If a campaign finance or ethics complaint is filed in the office of the commissioner against the commissioner, a supervisor within the commissioner's office shall within 10 business days forward the complaint to the attorney general, who shall within 45 days appoint a deputy in the case of a finance complaint or a deputy and a hearings officer in the case of an ethics complaint to make a determination in the matter of the complaint. The attorney general shall, to the extent practicable, ensure that there is no conflict of interest in the appointment of the deputy or hearings officer or in the provision of any legal advice to the office of the commissioner.

(b) A deputy appointed pursuant to this subsection must, in addition to complying with the requirements of subsection (6)(b), be an attorney licensed to practice law in Montana who is engaged in the private practice of law and who has liability insurance applicable to the purposes for which the deputy is appointed.

(c) If a complaint is filed against the commissioner, another employee in the office of

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the commissioner may not provide the commissioner with any information or documents concerning a complaint against the commissioner beyond that information or those documents normally provided to persons in matters before the commissioner.

(6) (a) If the commissioner is recused pursuant to this section, the commissioner shall, except as provided in subsection (5), appoint a deputy, subject to subsection (6)(b).

(b) The deputy:

(i) may not be an employee of the office of the commissioner;

(ii) must have the same qualifications as specified for the commissioner in 13-37-107;

(iii) with respect to only the specific matter from which the commissioner is recused, has the same authority, duties, and responsibilities as the commissioner would have absent the recusal; and

(iv) may not exercise any powers of the office that are not specifically related to the matter for which the deputy is appointed.

(7) (a) Except as provided in subsection (7)(b), the appointment of the deputy is effectuated by a contract between the commissioner and the deputy. A contract executed pursuant to this subsection (7) must specify the deputy's term of appointment, which must be temporary, the matter assigned to the deputy, the date on which the matter assigned must be concluded by the deputy, and any other items relevant to the deputy's appointment, powers, or duties.

(b) If a deputy is appointed pursuant to subsection (5), the appointment of the deputy is effectuated by a contract between the supervisor who forwarded the complaint to the attorney general and the deputy or the deputy and the hearings officer, but the contract is construed to be with the office of the commissioner. ""

Renumber: subsequent sections

5. Page 9, line 19 through page 13, line 12.

Strike: section 4 through section 8 in their entirety

Renumber: subsequent sections

6. Page 13, line 28.

Strike: "12"

Insert: "8"

7. Page 14, line 4.

Strike: "12"

Insert: "8"

8. Page 20, line 5 through line 7.

Strike: subsection (1) in its entirety

9. Page 20, line 8.

Strike: "(2)"

Strike: "12"

Insert: "8"

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10. Page 20, line 9.

Strike: "12"

Insert: "8"

Amendment **not** adopted as follows:

Yeas: Ankney, Barrett, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gross, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Whitford, Wolken.

Total 23

Nays: Blasdel, Fielder, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.

Total 27

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 368 - Bill, as amended passed as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 48

Nays: Malek, Smith F.

Total 2

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Majority Leader Thomas moved the committee **rise, report progress, and beg leave to sit again**. Motion carried. Committee arose. Senate resumed. President Sales presiding.

Chair Osmundson moved the Committee of the Whole report be adopted. Report adopted as follows:

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Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 313 passed as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Gross, Hinkle, Jones, Kary, Keenan, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.
Total 45

Nays: Fielder, Hinebauch, Hoven, Howard, Lang.
Total 5

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 333 passed as follows:

Yeas: Ankney, Barrett, Boland, Buttrey, Caferro, Cohenour, Connell, Facey, Gauthier, Gross, Hoven, Jones, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Swandal, Tempel, Thomas, Vincent, Vuckovich, Whitford, Wolken.

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Total 32

Nays: Blasdel, Brown, Fielder, Fitzpatrick, Hinebauch, Hinkle, Howard, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Smith C, Vance, Webb, Welborn, Mr.President.

Total 18

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 337 passed as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Mr.President.

Total 33

Nays: Barrett, Boland, Caferro, Cohenour, Facey, Gross, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Whitford, Wolken.

Total 17

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 367 passed as follows:

Yeas: Ankney, Barrett, Boland, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Gross, Hoven, Jones, MacDonald, Malek, McClafferty, McNally, Moore, Osmundson, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Swandal, Tempel, Thomas, Vuckovich, Welborn, Whitford, Wolken.

Total 34

Nays: Blasdel, Brown, Fielder, Hinebauch, Hinkle, Howard, Kary, Keenan, Lang, Olszewski, Regier, Smith C, Vance, Vincent, Webb, Mr.President.

Total 16

Absent or not voting: None.

Total 0

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Excused: None.

Total 0

SJ 20 passed as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Whitford, Wolken.
Total 47

Nays: Lang, Welborn, Mr.President.

Total 3

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 280 concurred in as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Caferro, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.
Total 32

Nays: Barrett, Boland, Cohenour, Facey, Gross, Hoven, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Whitford, Wolken.
Total 18

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 444 concurred in as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal,

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Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

Majority Leader Thomas moved the Senate stand in recess until 1:05 p.m. Motion carried.
Senate recessed at 12:20 p.m.

* * * * *

Senate re-convened at 1:05 p.m. President Sales in the chair.

REPORTS OF STANDING COMMITTEES

HIGHWAYS AND TRANSPORTATION (Vance, Chair):
SB 370, do pass.

3/28/2017

Without objection, committee report was adopted.

MOTIONS

Senator Cohenour moved that **SB 358** be taken from the Highways and Transportation Committee and placed on second reading the next legislative day. Motion **failed** as follows:

Yeas: Barrett, Boland, Caferro, Cohenour, Facey, Gross, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Thomas, Vuckovich, Welborn, Whitford, Wolken.
Total 20

Nays: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Tempel, Vance, Vincent, Webb, Mr. President.
Total 30

Absent or not voting: None.

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Total 0

Excused: None.

Total 0

Majority Leader Thomas moved that **HB 383** be taken from the second reading board and re-referred to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Thomas moved that **HB 123** be taken from the second reading board and re-referred to the Finance and Claims Committee. Without objection, so ordered.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Thomas moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Facey in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 359 - Senator Blasdel moved **SB 359** do pass. Motion carried as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hoven, Howard, Jones, Kary, Keenan, Lang, Malek, Moore, Olszewski, Osmundson, Phillips, Regier, Richmond, Salomon, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Mr.President.

Total 38

Nays: Barrett, Boland, Caferro, Cohenour, Facey, Hinkle, MacDonald, McClafferty, McNally, Pomnichowski, Sands, Wolken.

Total 12

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 352 - Senator Olszewski moved **SB 352** do pass. Motion carried as follows:

Yeas: Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Mr.President.

Total 29

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Nays: Ankney, Barrett, Boland, Caferro, Cohenour, Facey, Gross, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Salomon, Sands, Sesso, Smith F, Vuckovich, Welborn, Whitford, Wolken.

Total 21

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 353 - Senator Buttrey moved **SB 353** do pass. Motion carried as follows:

Yeas: Barrett, Boland, Buttrey, Caferro, Connell, Gauthier, Hoven, Jones, MacDonald, Malek, McClafferty, McNally, Moore, Osmundson, Phillips, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Thomas, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 31

Nays: Ankney, Blasdel, Brown, Cohenour, Facey, Fielder, Fitzpatrick, Gross, Hinebauch, Hinkle, Howard, Kary, Keenan, Lang, Olszewski, Pomnichowski, Smith C, Swandal, Vance.

Total 19

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 361 - Senator Vincent moved **SB 361** do pass. Motion carried as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.

Total 31

Nays: Barrett, Boland, Caferro, Cohenour, Facey, Gross, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Small, Smith F, Vuckovich, Whitford, Wolken.

Total 19

Absent or not voting: None.

Total 0

Excused: None.

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Total 0

SB 362 - Senator Buttrey moved **SB 362** do pass. Motion carried as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Caferro, Connell, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, McClafferty, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Sesso, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr. President.
Total 39

Nays: Barrett, Boland, Cohenour, Facey, MacDonald, Malek, McNally, Phillips, Pomnichowski, Sands, Smith F.
Total 11

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 348 - Senator R. Webb moved **SB 348** do pass.

SB 348 - Senator R. Webb moved **SB 348**, second reading copy, be amended as follows:

1. Page 2, line 3.

Strike: "8"

Insert: "7"

2. Page 3, line 13.

Strike: "8"

Insert: "7"

3. Page 3, line 14.

Strike: "9"

Insert: "8"

4. Page 3, line 17.

Strike: "8"

Insert: "7"

5. Page 3, line 21.

Strike: "8"

Insert: "7"

6. Page 6, line 5.

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Strike: "8"

Insert: "7"

7. Page 6, line 6.

Strike: "8"

Insert: "7"

8. Page 6, line 7.

Strike: "9"

Insert: "8"

9. Page 6, line 8.

Strike: "9"

Insert: "8"

Amendment adopted as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.
Total 48

Nays: Keenan, Olszewski.

Total 2

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 348 - Bill, as amended, **failed** as follows:

Yeas: Ankney, Barrett, Brown, Buttrey, Caferro, Connell, Gauthier, Hoven, Jones, Kary, MacDonald, Malek, Richmond, Salomon, Small, Smith F, Swandal, Vance, Vuckovich, Webb, Welborn, Wolken.
Total 22

Nays: Blasdel, Boland, Cohenour, Facey, Fielder, Fitzpatrick, Gross, Hinebauch, Hinkle, Howard, Keenan, Lang, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Sands, Sesso, Smith C, Tempel, Thomas, Vincent, Whitford, Mr.President.

Total 28

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Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 348 - Majority Leader Thomas moved **SB 348** be **indefinitely postponed**. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Sands, Small, Smith C, Tempel, Thomas, Vance, Vincent, Vuckovich, Mr.President.

Total 39

Nays: Caferro, Kary, Richmond, Salomon, Sesso, Smith F, Swandal, Webb, Welborn, Whitford, Wolken.

Total 11

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 355 - Senator D. Brown moved **SB 355** do pass. Motion **failed** as follows:

Yeas: Ankney, Brown, Buttrey, Facey, Fielder, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Keenan, Moore, Olszewski, Osmundson, Richmond, Smith C, Swandal, Thomas, Vance, Vincent, Welborn, Wolken, Mr.President.

Total 24

Nays: Barrett, Blasdel, Boland, Caferro, Cohenour, Connell, Fitzpatrick, Gross, Kary, Lang, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Regier, Salomon, Sands, Sesso, Small, Smith F, Tempel, Vuckovich, Webb, Whitford.

Total 26

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 355 - Majority Leader Thomas moved **SB 355** be **indefinitely postponed**. Motion carried

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as follows:

Yeas: Ankney, Barrett, Boland, Buttrey, Caferro, Cohenour, Connell, Fitzpatrick, Hinebauch, Hoven, Howard, Jones, Kary, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Whitford, Wolken, Mr.President.
Total 38

Nays: Blasdel, Brown, Facey, Fielder, Gauthier, Gross, Hinkle, Keenan, Olszewski, Smith C, Swandal, Welborn.
Total 12

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 354 - Senator Caferro moved **SB 354** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Boland, Buttrey, Caferro, Cohenour, Facey, Gauthier, Gross, Hoven, Jones, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Vuckovich, Welborn, Whitford, Wolken.
Total 28

Nays: Blasdel, Brown, Connell, Fielder, Fitzpatrick, Hinebauch, Hinkle, Howard, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Smith C, Swandal, Thomas, Vance, Vincent, Webb, Mr.President.
Total 22

Absent or not voting: None.
Total 0

Excused: None.
Total 0

Majority Leader Thomas moved the committee **rise, report progress, and beg leave to sit again**. Motion carried. Committee arose. Senate resumed. President Sales presiding.

Chair Facey moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Barrett, Boland, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Gross, Hinebauch, Hoven, Howard, Jones, Kary, Lang, MacDonald, Malek, McClafferty, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Vance, Vuckovich, Webb,

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Welborn, Whitford, Wolken.

Total 41

Nays: Blasdel, Brown, Fielder, Hinkle, Keenan, Moore, Thomas, Vincent, Mr.President.

Total 9

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Majority Leader Thomas moved the Senate stand in recess until 4:00 p.m. Motion carried.
Senate recessed at 3:02 p.m.

* * * * *

Senate re-convened at 4:00 p.m. President Sales in the chair.

MOTIONS

Majority Leader Thomas moved the Senate **suspend rule S50-190**, third reading procedure, for the purpose of placing all bills which have passed second reading to this point on third reading this date. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.
Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator MacDonald excused at this time.

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THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 338 passed as follows:

Yeas: Ankney, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinkle, Hoven, Howard, Jones, Kary, Lang, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken.

Total 43

Nays: Barrett, Hinebauch, Keenan, Pomnichowski, Swandal, Mr.President.

Total 6

Absent or not voting: None.

Total 0

Excused: MacDonald.

Total 1

SB 352 passed as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Mr.President.

Total 30

Nays: Barrett, Boland, Caferro, Cohenour, Facey, Gross, Malek, McClafferty, McNally, Phillips, Pomnichowski, Salomon, Sands, Sesso, Smith F, Vuckovich, Welborn, Whitford, Wolken.

Total 19

Absent or not voting: None.

Total 0

Excused: MacDonald.

Total 1

SB 353 passed as follows:

Yeas: Barrett, Blasdel, Boland, Buttrey, Caferro, Cohenour, Connell, Gauthier, Gross, Hinebauch, Hoven, Howard, Jones, Kary, Lang, Malek, McClafferty, McNally, Moore,

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Olszewski, Osmundson, Phillips, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Thomas, Vuckovich, Webb, Whitford, Wolken.
Total 35

Nays: Ankney, Brown, Facey, Fielder, Fitzpatrick, Hinkle, Keenan, Pomnichowski, Smith C, Swandal, Vance, Vincent, Welborn, Mr.President.
Total 14

Absent or not voting: None.
Total 0

Excused: MacDonald.
Total 1

SB 354 passed as follows:

Yeas: Ankney, Barrett, Boland, Buttrey, Caferro, Cohenour, Facey, Gauthier, Gross, Hoven, Jones, Malek, McClafferty, McNally, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Vuckovich, Welborn, Whitford, Wolken.
Total 27

Nays: Blasdel, Brown, Connell, Fielder, Fitzpatrick, Hinebauch, Hinkle, Howard, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Smith C, Swandal, Thomas, Vance, Vincent, Webb, Mr.President.
Total 22

Absent or not voting: None.
Total 0

Excused: MacDonald.
Total 1

Senator MacDonald present at this time.

SB 359 passed as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Malek, McNally, Moore, Olszewski, Osmundson, Phillips, Regier, Richmond, Salomon, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.
Total 40

Nays: Barrett, Boland, Caferro, Cohenour, Facey, Gross, MacDonald, McClafferty, Pomnichowski, Sands.
Total 10

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Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 361 passed as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.

Total 32

Nays: Barrett, Boland, Caferro, Cohenour, Facey, Gross, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Whitford, Wolken.

Total 18

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 362 passed as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, McClafferty, Moore, Olszewski, Osmundson, Phillips, Regier, Richmond, Salomon, Sesso, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 41

Nays: Barrett, Boland, Facey, MacDonald, Malek, McNally, Pomnichowski, Sands, Smith F.

Total 9

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 368 passed as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey,

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Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.
Total 48

Nays: Malek, Smith F.
Total 2

Absent or not voting: None.
Total 0

Excused: None.
Total 0

Senator McNally moved to change her third-reading vote on **SB 352** from Yes to No. Without objection, so ordered.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Thomas moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Osmundson in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 372 - Senator Moore moved consideration of **SB 372** be passed for the day. Without objection, so ordered.

SB 375 - Senator S. Sales moved **SB 375** do pass. Motion carried as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Caferro, Facey, Fielder, Gauthier, Hinebauch, Hinkle, Jones, Keenan, Lang, Moore, Olszewski, Osmundson, Phillips, Richmond, Sands, Sesso, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Welborn, Whitford, Wolken, Mr.President.
Total 31

Nays: Barrett, Boland, Cohenour, Connell, Fitzpatrick, Gross, Hoven, Howard, Kary, MacDonald, Malek, McClafferty, McNally, Pomnichowski, Regier, Salomon, Smith F, Vuckovich, Webb.
Total 19

Absent or not voting: None.

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Total 0

Excused: None.

Total 0

SB 377 - Senator Fitzpatrick moved **SB 377** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Boland, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Gross, Hoven, Jones, Kary, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Osmundson, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Thomas, Vuckovich, Welborn, Whitford, Wolken.

Total 35

Nays: Blasdel, Brown, Fielder, Hinebauch, Hinkle, Howard, Keenan, Olszewski, Regier, Smith C, Swandal, Vance, Vincent, Webb, Mr.President.

Total 15

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 374 - Senator Ankney moved **SB 374** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinkle, Hoven, Howard, Jones, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken.

Total 46

Nays: Hinebauch, Kary, Keenan, Mr.President.

Total 4

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 345 - Senator C. Smith moved **SB 345** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Cohenour, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, McClafferty,

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McNally, Moore, Olszewski, Osmundson, Phillips, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Wolken, Mr.President.

Total 42

Nays: Caferro, Facey, Gross, MacDonald, Malek, Pomnichowski, Smith F, Whitford.

Total 8

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 346 - Senator Gauthier moved **SB 346** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Boland, Caferro, Cohenour, Connell, Facey, Gauthier, Gross, Hoven, Jones, MacDonald, Malek, McClafferty, McNally, Olszewski, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Welborn, Whitford, Wolken.

Total 28

Nays: Blasdel, Brown, Buttrey, Fielder, Fitzpatrick, Hinebauch, Hinkle, Howard, Kary, Keenan, Lang, Moore, Osmundson, Regier, Smith C, Swandal, Thomas, Vance, Vincent, Vuckovich, Webb, Mr.President.

Total 22

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 363 - Senator Vincent moved **SB 363** do pass.

SB 363 - Senator Vincent moved **SB 363**, second reading copy, be amended as follows:

1. Title, page 1, line 11.

Strike: "A TERMINATION DATE"

Insert: "TERMINATION DATES"

2. Page 2, line 12.

Strike: "\$577.75"

Insert: "\$967.62"

3. Page 2, line 29.

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Following: "(1)"

Strike: "A"

Insert: "Between July 1, 2017, and June 30, 2019, a load-serving"

4. Page 3, line 1.

Strike: "AN"

Insert: "a quarterly"

5. Page 3, line 1 through line 2.

Strike: "OF \$0.0009972" on line 1 through "QUARTER." on line 2

Insert: "determined by the department pursuant to subsection (2).

(2) By September 30, 2017, the department shall calculate the quarterly fee for each load-serving utility by multiplying the utility's 2015 kilowatt-hour sales by the factor calculated pursuant to subsection (3), dividing the product by four, and rounding that product to the nearest whole dollar.

(3) The department shall determine the factor used in subsection (2) by multiplying the fee assessed in [section 3(1)] by four, multiplying that product by the total nameplate capacity of a utility regulated pursuant to Title 69, chapter 8, and then dividing that product by 6,080,144,265."

Renumber: subsequent subsections

6. Page 13, line 2.

Following: "**Termination.**"

Insert: "(1) [Section 4] and the reference to [section 4] in 80-7-1004 terminate June 30, 2019.
(2)"

Amendment adopted as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr. President.
Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 363 - Senator Vincent moved **SB 363**, second reading copy, be amended as follows:

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1. Title, page 1, line 10.

Strike: "AN EFFECTIVE DATE"

Insert: "EFFECTIVE DATES"

2. Title, page 1, line 11.

Strike: "A TERMINATION DATE"

Insert: "TERMINATION DATES"

3. Page 11.

Following: line 6

Insert: "**Section 12.** Section 80-7-1004, MCA, is amended to read:

"80-7-1004. Invasive species account. (1) There is an invasive species account in the state special revenue fund. The account is administered by the department of fish, wildlife, and parks.

(2) Money transferred from the general fund or received from any other lawful source, including but not limited to fees collected pursuant to [section 1], [section 2], and [section 5], gifts, grants, donations, securities, or other assets, public or private, may be deposited in the account.

(3) Subject to subsection (4), money deposited in the account must be used for projects that prevent or control any nonnative, aquatic invasive species pursuant to this part.

(4) Any private contribution deposited in the account for a particular purpose, as stated by the donor, must be used exclusively for that purpose.

(5) Any interest and earnings on the account must be retained in the account.

(6) The department of fish, wildlife, and parks may not recover indirect costs from the invasive species account."

Renumber: subsequent sections

4. Page 12, line 26.

Strike: "date."

Insert: "dates. (1)"

Strike: "[This act]"

Insert: "Except as provided in subsection (2), [this act]"

5. Page 12.

Following: line 26

Insert: "(2) [Section 12] is effective July 1, 2019."

6. Page 13, line 2.

Following: "**Termination.**"

Insert: "(1) [Sections 3, 4, 10, and 11] terminate June 30, 2019.

(2)"

Strike: "11(6)"

Insert: "(12)(6)"

Amendment adopted as follows:

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Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 363 - Senator Vincent moved **SB 363**, second reading copy, be amended as follows:

1. Title, page 1, line 6 through line 7.

Strike: "ESTABLISHING THE NONRESIDENT" on line 6 through "DECALS;" on line 7
Insert: "ESTABLISHING THE AQUATIC INVASIVE SPECIES PREVENTION PASS;"

2. Title, page 1, line 8.

Strike: "ESTABLISHING AN IRRIGATED FARMLAND FEE;"

3. Title, page 1, line 9.

Strike: "REVISING DEFINITIONS;"

Insert: "DEFINING "HYDROELECTRIC FACILITY"; EXTENDING RULEMAKING AUTHORITY;"

4. Title, page 1, line 9 through line 10.

Strike: "23-2-502," on line 9 through "23-2-512," on line 10

5. Title, page 1, line 10.

Following: "80-7-1006,"

Strike: "AND"

Following: "80-7-1010,"

Insert: "87-2-514, 87-2-711, 87-2-816, AND 87-2-817,"

6. Title, page 1, line 11.

Strike: "APPLICABILITY DATES, AND A TERMINATION DATE"

Insert: "AN APPLICABILITY DATE, AND TERMINATION DATES"

7. Page 1, line 15 through page 2, line 8.

Strike: section 1 through section 2 in their entirety

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Insert: "NEW SECTION. Section 1. Aquatic invasive species prevention pass. (1) To be eligible to fish in Montana or to apply for a fishing license or a combination license that includes a fishing license a person must first obtain an aquatic invasive species prevention pass as provided in this section. The pass must be purchased once each license year.

(2) Resident aquatic invasive species prevention passes may be purchased for a fee of \$2.

(3) Nonresident aquatic invasive species prevention passes may be purchased for a fee of \$15."

Renumber: subsequent sections

8. Page 3, line 13 through line 21.

Strike: section 5 in its entirety

Renumber: subsequent sections

9. Page 4, line 23 through page 9, line 28.

Strike: section 7 through section 9 in their entirety

Renumber: subsequent sections

10. Page 10, line 4.

Strike: "3"

Insert: "2"

11. Page 10, line 28.

Following: "[section 2],"

Insert: "and"

Strike: "[section 4], [AND [SECTION 5],"

12. Page 11.

Following: line 6

Insert: "**Section 7.** Section 80-7-1004, MCA, is amended to read:

"80-7-1004. Invasive species account. (1) There is an invasive species account in the state special revenue fund. The account is administered by the department of fish, wildlife, and parks.

(2) Money transferred ~~from the general fund or received~~ from any other lawful source, including but not limited to fees collected pursuant to [section 2] and [section 3], gifts, grants, donations, securities, or other assets, public or private, may be deposited in the account.

(3) Subject to subsection (4), money deposited in the account must be used for projects that prevent or control any nonnative, aquatic invasive species pursuant to this part.

(4) Any private contribution deposited in the account for a particular purpose, as stated by the donor, must be used exclusively for that purpose.

(5) Any interest and earnings on the account must be retained in the account.

(6) The department of fish, wildlife, and parks may not recover indirect costs from the invasive species account."

Renumber: subsequent sections

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13. Page 12.

Following: line 16

Insert: "Section 10. Section 87-2-514, MCA, is amended to read:

"87-2-514. Nonresident relative of resident allowed to purchase nonresident licenses at reduced cost -- definitions. (1) For the purposes of this section, the following definitions apply:

(a) "Nonresident relative of a resident" means a person born in Montana who is the natural or adoptive child, sibling, or parent of a resident but is not a resident.

(b) "Resident" means a resident as defined in 87-2-102.

(2) Except as otherwise provided in this chapter, a nonresident relative of a resident who meets the qualifications of subsection (5) may purchase the following at one-half the cost:

(a) a Class B nonresident fishing license;

(b) a Class B-1 nonresident upland game bird license;

(c) a Class B-10 nonresident big game combination license; and

(d) a Class B-11 nonresident deer combination license.

(3) The nonresident relative of a resident shall also purchase a nonresident wildlife conservation license as prescribed in 87-2-202, ~~and a nonresident base hunting license as prescribed in 87-2-116 if the nonresident relative of a resident purchases a hunting license, and a nonresident aquatic invasive species prevention pass if the nonresident purchases a fishing license.~~

(4) Class B-10 and Class B-11 licenses sold pursuant to subsection (2) are not included in the limit on the number of available Class B-10 and Class B-11 licenses issued pursuant to 87-2-505 and 87-2-510.

(5) To qualify for a license pursuant to subsection (2), a nonresident relative of a resident shall apply at any department regional office or at the department's state office in Helena and present proof of the following:

(a) a birth certificate verifying the applicant's birth in Montana or documentation that the applicant was born to parents who were residents at the time of birth;

(b) evidence that the person previously held a Montana resident hunting or fishing license or has passed a hunter safety course in Montana pursuant to 87-2-105; and

(c) proof that the applicant is a nonresident relative of a resident.

(6) Of the fee paid for a hunting license purchased pursuant to subsection (2), 28.5% must be deposited in the account established in 87-1-290."

Insert: "Section 11. Section 87-2-711, MCA, is amended to read:

"87-2-711. Class AAA--combination sports license. (1) Except as otherwise provided in this chapter, a resident, as defined by 87-2-102, who is 12 years of age or older or who will turn 12 years old before or during the season for which the license is issued is entitled to:

(a) a combination sports license that permits a holder who is 12 years of age or older to exercise all rights granted to holders of Class A, A-1, A-3, and A-5 licenses and resident conservation licenses as prescribed in 87-2-202 upon payment of the sum of \$70 or, if the resident is a service member eligible for a combination sports license pursuant to 87-2-817(2), upon payment of the resident base hunting license fee provided for in 87-2-116 and purchase of the resident aquatic invasive species prevention pass pursuant to [section 1]; or

(b) a combination sports license that permits a holder who is 12 years of age or older to exercise all rights granted in subsection (1)(a) and the additional rights granted to holders of a

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Class A-6 tag upon payment of the sum of \$85.

(2) The department may furnish each holder of a combination sports license an appropriate decal."

Insert: "Section 12. Section 87-2-816, MCA, is amended to read:

"87-2-816. Licenses for legion of valor members -- purple heart awardees. (1) A resident, as defined in 87-2-102, or a nonresident who is a legion of valor member is entitled to fish with a wildlife conservation license issued by the department.

(2) A resident, as defined in 87-2-102, awarded a purple heart for service in the armed forces of the United States is entitled to fish and hunt game birds, not including wild turkeys, with the purchase of a wildlife conservation license issued by the department pursuant to 87-2-202 and a resident aquatic invasive species prevention pass pursuant to [section 1].

(3) A nonresident awarded a purple heart for service in the armed forces of the United States is entitled to fish and hunt game birds, not including wild turkeys, with the purchase of a wildlife conservation license issued by the department pursuant to 87-2-202 and a nonresident aquatic invasive species prevention pass pursuant to [section 1] during expeditions arranged for the nonresident by a nonprofit organization that uses fishing and hunting as part of the rehabilitation of disabled veterans.

(4) The department's general license account must be reimbursed by a quarterly transfer of funds from the general fund to the general license account for license costs associated with the fishing and game bird hunting privileges granted pursuant to subsections (2) and (3) during the preceding calendar quarter. Reimbursement costs must be designated as license revenue."

Insert: "Section 13. Section 87-2-817, MCA, is amended to read:

"87-2-817. Licenses for service members. (1) A veteran or a disabled member of the armed forces who meets the qualifications in 87-2-803(9) as a result of a combat-connected injury may apply at a fish, wildlife, and parks office for a regular Class A-3 deer A tag, a Class A-4 deer B tag, a Class B-7 deer A tag, a Class B-8 deer B tag, and a special antelope license made available under 87-2-506(3) for one-half of the license fee. Licenses issued to veterans or disabled members of the armed forces under this part do not count against the number of special antelope licenses reserved for people with permanent disabilities, as provided in 87-2-706.

(2) (a) A Montana resident who is a member of the Montana national guard or the federal reserve as provided in 10 U.S.C. 10101 or who was otherwise engaged in active duty and who participated in a contingency operation as provided in 10 U.S.C. 101(a)(13) that required the member to serve at least 2 months outside of the state, upon request and upon presentation of the documentation described in subsection (2)(b), must be issued a free resident wildlife conservation license or a Class AAA resident combination sports license, which may not include a Class A-6 black bear tag, upon payment of the resident base hunting license fee in 87-2-116 and the purchase of the resident aquatic invasive species prevention pass pursuant to [section 1], in the license year that the member returns from military service or in the year following the member's return, based on the member's election, and in any of the 4 years after the member's election.

(b) To be eligible for the free resident wildlife conservation license or free Class AAA resident combination sports license provided for in subsection (2)(a), an applicant shall, in addition to the written application and proof of residency required in 87-2-202(1), provide to any

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regional department office or to the department headquarters in Helena, by mail or in person, the member's DD form 214 verifying the member's release or discharge from active duty. The applicant is responsible for providing documentation showing that the applicant participated in a contingency operation as provided in 10 U.S.C. 101(a)(13).

(c) A Montana resident who meets the service qualifications of subsection (2)(a) and provides the documentation required in subsection (2)(b) is entitled to a free Class A resident fishing license in the license year that the member returns from military service or in the year following the member's return, based on the member's election, and in any of the 4 years after the member's election.

(d) The department's general license account must be reimbursed by a quarterly transfer of funds from the general fund to the general license account for costs associated with the free licenses granted pursuant to this subsection (2) during the preceding calendar quarter. Reimbursement costs must be designated as license revenue.

(3) A member of the armed forces who forfeited a license or permit issued through a drawing as a result of deployment outside of the continental United States in support of a contingency operation as provided in 10 U.S.C. 101(a)(13) is guaranteed the same license or permit, without additional fee, upon application in the year of the member's return from deployment or in the first year that the license or permit is made available after the member's return.""

14. Page 12, line 18 through page 13, line 2.

Strike: sections 14 through 17 in their entirety

Insert: "NEW SECTION. Section 14. Codification instruction. (1) [Section 1] is intended to be codified as an integral part of Title 87, chapter 2, part 1, and the provisions of Title 87, chapter 2, part 1, apply to [section 1].

(2) [Sections 2 and 3] are intended to be codified as an integral part of Title 15, and the provisions of Title 15 apply to [sections 2 and 3]."

Insert: "NEW SECTION. Section 15. Effective dates. (1) Except as provided in subsection (2), [this act] is effective May 15, 2017.

(2) [Section 7] is effective March 1, 2020."

Insert: "NEW SECTION. Section 16. Applicability. [Sections 2 and 3] apply to quarterly periods beginning July 1, 2017."

Insert: "NEW SECTION. Section 17. Termination. (1) [Sections 1, 6, 10, 11, 12, and 13] terminate February 29, 2020.

(2) [Sections 4 and 7(6)] terminate June 30, 2027."

Amendment adopted as follows:

Yeas: Ankney, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 48

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Nays: Barrett, Pomnichowski.
Total 2

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 363 - Senator Vincent moved **SB 363**, second reading copy, be amended as follows:

1. Title, page 1, line 9.

Following: "REVISING DEFINITIONS;"

Insert: "REVISING THE INVASIVE SPECIES TRUST FUND;"

2. Title, page 1, line 10.

Following: "80-7-1006,"

Strike: "AND"

Following: "80-7-1010,"

Insert: "80-7-1016, 80-7-1017, AND 80-7-1018,"

3. Page 11, line 4.

Strike: subsection (5) in its entirety

Insert: "(5) At the end of each fiscal year, unreserved funds in the account, including any interest and earnings, must be transferred to the invasive species trust fund established in 80-7-1016."

4. Page 12.

Following: line 16

Insert: "**Section 14.** Section 80-7-1016, MCA, is amended to read:

"80-7-1016. Invasive species trust fund. (1) There is an invasive species trust fund. The board of investments shall invest the money of the fund, and the investment income must be deposited in the fund.

(2) The principal of the invasive species trust fund shall forever remain inviolate in an amount of ~~\$10~~ \$100 million unless appropriated by a vote of three-fourths of the members of each house of the legislature.

(3) Except as provided in 80-7-1013 and ~~subsections subsection~~ subsection (2) and ~~(4)~~ of this section, money deposited in the invasive species trust fund may not be appropriated until the principal reaches ~~\$10~~ \$100 million.

(4) On July 1 of each fiscal year, the principal of the invasive species trust fund in excess of ~~\$10~~ \$100 million and the interest and income generated from the trust fund, excluding unrealized gains and losses, must be deposited in the invasive species ~~grant~~ account established in ~~80-7-1017~~ 80-7-1004.

(5) Deposits to the principal of the trust fund may include but are not limited to grants, gifts, transfers, bequests, or donations from any source.

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~~(6) If the invasive species trust fund is terminated, the money in the fund must be divided between all counties according to rules adopted by the department of natural resources and conservation for that purpose."~~

Insert: "Section 15. Section 80-7-1017, MCA, is amended to read:

"80-7-1017. Invasive species grant account. (1) There is an invasive species grant account in the state special revenue fund established in 17-2-102. Subject to appropriation by the legislature, money deposited in the account must be used pursuant to 80-7-1018 and this section.

(2) Deposits to the account may include but are not limited to grants, gifts, transfers, bequests, donations, and appropriations from any source, ~~and deposits made pursuant to 80-7-1016.~~

(3) Interest and income earned on the account and any unspent or unencumbered money in the account at the end of a fiscal year must remain in the account.

(4) Money deposited in the account may be used for costs incurred by the department of natural resources and conservation to administer the provisions of ~~80-7-1016 through~~ 80-7-1018. Except for startup costs incurred in the first year of the program, the administrative costs in any fiscal year, including but not limited to personal services and operations, may not exceed 10% of the total amount of grants and contracts awarded pursuant to 80-7-1018 in the previous fiscal year."

Insert: "Section 16. Section 80-7-1018, MCA, is amended to read:

"80-7-1018. Invasive species grant program -- criteria -- rulemaking. (1) Money deposited in the invasive species grant account established in 80-7-1017 may be expended by the department of natural resources and conservation through grants to or contracts with communities or local, state, tribal, or other entities for invasive species management.

(2) For the purposes of this section, the term "invasive species management" includes public education and planning, development, implementation, or continuation of a program or project to prevent, research, detect, control, or, where possible, eradicate invasive species.

(3) A grant or contract may be awarded under this section for demonstration of and research and public education on new and innovative invasive species management.

(4) In making grant and contract awards under this section, the department of natural resources and conservation shall give preference to local governments, collaborative stakeholders, and community groups that it determines can most effectively implement programs on the ground.

(5) If the governor appoints an advisory council on invasive species, the department of natural resources and conservation shall consider recommendations by the advisory council for awards made under this section.

(6) The department of natural resources and conservation is not eligible to receive grants and contracts under this section.

(7) The department of natural resources and conservation may accept federal funds for use pursuant to this section.

(8) Any funds awarded under this section, regardless of when they were awarded, that are not fully expended upon termination of a contract or an extension of a contract, not to exceed 1 year, must revert to the department of natural resources and conservation and be deposited in the invasive species grant account established in 80-7-1017. The department of natural resources and conservation shall use any reverted funds to make future awards

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pursuant to this section.

(9) The department of natural resources and conservation may adopt rules to administer the provisions of ~~80-7-1016 through 80-7-1018~~ this section.""

Renumber: subsequent sections

Amendment adopted as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 363 - Senator Vincent moved **SB 363**, second reading copy, be amended as follows:

1. Title, page 1, line 10.

Strike: "69-3-308,"

2. Page 2, line 23 through line 25.

Strike: subsection (6) in its entirety

Renumber: subsequent subsections

3. Page 9, line 30 through page 10, line 22.

Strike: section 10 in its entirety

Renumber: subsequent sections

4. Page 13, line 2.

Strike: "11(6)"

Insert: "10(6)"

Amendment adopted as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Connell, Fitzpatrick, Gauthier, Hinebauch, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.

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Total 28

Nays: Barrett, Boland, Caferro, Cohenour, Facey, Fielder, Gross, Hinkle, Hoven, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Tempel, Vuckovich, Whitford, Wolken.

Total 22

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 363 - Senator S. Sales moved **SB 363**, second reading copy, be amended as follows:

1. Title, page 1, line 8.

Following: "FEE;"

Insert: "ESTABLISHING A FEE FOR CERTAIN BICYCLES;"

2. Page 3.

Following: line 21

Insert: NEW SECTION. **Section 6. Nonresident invasive species bicycle decal.** (1) An invasive species decal must be affixed in a conspicuous place to each bicycle that is brought into and used in Montana by a nonresident. A nonresident may not use or give permission for the use of a bicycle the nonresident brought into the state on which an invasive species decal is not affixed.

(2) An invasive species decal must be purchased each calendar year for \$25 at locations prescribed by the department of fish, wildlife, and parks. The decal is not transferable between bicycles.

(3) Money collected by payment of fees under this section must be deposited in the invasive species account established in 80-7-1004."

Renumber: subsequent sections

3. Page 10, line 28.

Strike: "AND"

Following: "[SECTION 5],"

Insert: "and [section 6],"

4. Page 12.

Following: line 24

Insert: "(4) [Section 6] is intended to be codified as an integral part of Title 80, chapter 7, part 10, and the provisions of Title 80, chapter 7, part 10, apply to [section 6]."

5. Page 13, line 2.

Strike: "6 AND 11(6)"

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Insert: "7 and 12(6)"

Amendment adopted as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Connell, Hinebauch, Hinkle, Hoven, Jones, Kary, Keenan, Lang, Moore, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.
Total 26

Nays: Barrett, Boland, Caferro, Cohenour, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Howard, MacDonald, Malek, McClafferty, McNally, Olszewski, Phillips, Pomnichowski, Sands, Sesso, Smith F, Tempel, Vuckovich, Whitford, Wolken.
Total 24

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 363 - Bill, as amended, passed as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Connell, Fitzpatrick, Gauthier, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.
Total 29

Nays: Barrett, Boland, Caferro, Cohenour, Facey, Fielder, Gross, Hinebauch, Hinkle, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Whitford, Wolken.
Total 21

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 366 - Senator Cohenour moved **SB 366** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Boland, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Gross, Hoven, Jones, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Swandal, Tempel, Thomas, Vuckovich, Welborn, Whitford, Wolken.
Total 34

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Nays: Blasdel, Brown, Fielder, Hinebauch, Hinkle, Howard, Kary, Keenan, Olszewski, Osmundson, Regier, Smith C, Vance, Vincent, Webb, Mr.President.
Total 16

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 376 - Senator Cohenour moved **SB 376** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Boland, Caferro, Cohenour, Connell, Facey, Gauthier, Gross, Hoven, Jones, MacDonald, Malek, McClafferty, McNally, Moore, Phillips, Pomnichowski, Richmond, Sands, Sesso, Small, Tempel, Welborn, Whitford, Wolken.
Total 26

Nays: Blasdel, Brown, Buttrey, Fielder, Fitzpatrick, Hinebauch, Hinkle, Howard, Kary, Keenan, Lang, Olszewski, Osmundson, Regier, Salomon, Smith C, Smith F, Swandal, Thomas, Vance, Vincent, Vuckovich, Webb, Mr.President.
Total 24

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 335 - Senator Welborn moved **SB 335** do pass. Motion carried as follows:

Yeas: Ankney, Boland, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Gross, Hoven, Jones, Kary, Lang, MacDonald, McClafferty, McNally, Phillips, Richmond, Salomon, Sands, Sesso, Small, Tempel, Thomas, Vuckovich, Welborn, Whitford, Wolken.
Total 29

Nays: Barrett, Blasdel, Brown, Fielder, Hinebauch, Hinkle, Howard, Keenan, Malek, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Smith C, Smith F, Swandal, Vance, Vincent, Webb, Mr.President.
Total 21

Absent or not voting: None.
Total 0

Excused: None.
Total 0

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SB 330 - Senator Vincent moved **SB 330** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Boland, Buttrey, Caferro, Cohenour, Facey, Fielder, Gauthier, Gross, Jones, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Salomon, Sands, Sesso, Small, Smith F, Swandal, Vance, Vincent, Vuckovich, Welborn, Whitford, Wolken.
Total 29

Nays: Blasdel, Brown, Connell, Fitzpatrick, Hinebauch, Hinkle, Hoven, Howard, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Smith C, Tempel, Thomas, Webb, Mr.President.
Total 21

Absent or not voting: None.
Total 0

Excused: None.
Total 0

Majority Leader Thomas moved the committee **rise and report**. Motion carried. Committee arose. Senate resumed. President Sales presiding.

Chair Osmundson moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hoven, Howard, Jones, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Welborn, Whitford, Wolken.
Total 44

Nays: Hinkle, Kary, Keenan, Olszewski, Webb, Mr.President.
Total 6

Absent or not voting: None.
Total 0

Excused: None.
Total 0

MOTIONS

Majority Leader Thomas moved that **SB 370** be taken from the second reading board and referred to the Finance and Claims Committee. Without objection, so ordered.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Thomas moved the Senate adjourn until 10:00 a.m., Friday, March 31, 2017, the sixty-seventh legislative day. Motion carried.

Senate adjourned at 6:08 p.m.

MARILYN MILLER
Secretary of the Senate

SCOTT SALES
President of the Senate